

**SENTENCE REVIEW
COMMISSIONERS**

Annual Report 2025-2026

HC 372

Sentence Review Commissioners' Annual Report 2025-2026

(For the year ended 31 March 2026)

Presented to Parliament pursuant to paragraph 6 of Schedule 1 to
the Northern Ireland (Sentences) Act 1998

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Dear Secretary of State

Sub-paragraph 6(1) of Schedule 1 to the Northern Ireland (Sentences) Act 1998 requires me, as Chairperson of the Sentence Review Commissioners, to make a report to you, as soon as practicable after the end of the financial year, on the performance of the Sentence Review Commissioners' functions during the year. Annual Reports have accordingly been forwarded to you and your predecessors every year since the first in 1998/1999.

This, the 28th report, covers the year ending 31 March 2026. During this year the Commissioners have reflected on the body of work completed since their appointment in 1998. Detailed statistics of the types of applications and their outcome are included in Chapter Three. These indicate that a total of 529 applications for early release on licence have been completed of which 483 applications were granted by the Commissioners.

In addition to the consideration of initial applications the Commissioners have a statutory responsibility to review the cases of prisoners whose licences may have been

suspended. Over the past 28 years the Commissioners have considered 23 such cases resulting in the revocation of 15 licences. The statistics also reflect that, of these 15 cases, seven prisoners were subsequently granted a licence following a further application for early release. This important aspect of the work of the Commissioners continues to be a primary focus in the development of the ongoing programme of training for the Commissioners as the nature of their role evolves.

The layout and the content of this report follow the line adopted in last year's report. It should be noted that all our previous reports are readily available on the Commissioners' website: www.sentencereview.org.uk.

Chapter One of the report summarises the background to the Commissioners' role, Chapter Two describes some particular issues that were addressed during the year, Chapter Three provides information on the cases processed and Chapter Four gives a breakdown of staff and resource costs for the reporting period.

Finally, I would like to take this opportunity to acknowledge the commitment and dedication of my Sentence Review Commissioner colleagues who work on a part-time basis and also to thank our Secretariat Team for their continued administrative support which is invaluable. I have no doubt that this support and commitment will continue throughout the 2026/27 reporting period.

Yours sincerely



CLODACH MCGRORY
Chairperson

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Chapter 1

Background

The work of the Commissioners has its origins in the Agreement reached on Good Friday (10 April) 1998 between the participants in the multi-party negotiations, subsequently endorsed by referendum.

The part of the Agreement dealing with prisoners committed both Governments to putting in place mechanisms to provide for an accelerated programme for the release of prisoners convicted of scheduled offences in Northern Ireland or of similar offences elsewhere. The arrangements were to protect the rights of individual prisoners under national and international law.

Prisoners affiliated to organisations that had not established, or were not maintaining, complete and unequivocal ceasefires were to be excluded from benefiting from the arrangements.

The Act and Rules

The Government gave effect to this commitment through the provisions of the Northern Ireland (Sentences) Act 1998 ('the Act') and through various pieces of subordinate legislation made under it, most particularly the Northern Ireland (Sentences) Act 1998 (Sentence Review Commissioners) Rules 1998 ('the Rules'). Both were passed by Parliament in late July 1998.

The Act provides for the appointment of Commissioners and sets out the criteria that must be met for a prisoner to be eligible for early release on licence. The Act also makes provision for the calculation of the appropriate release dates for qualifying prisoners, whether fixed term or life sentence prisoners.

The Rules set out in detail the procedures under which prisoners apply for early release and the Commissioners consider their applications. Within the terms of the Rules there

is provision for the views of the Secretary of State (represented by the Northern Ireland Office) to be made known and taken into account by the Commissioners. The Rules normally give both parties access to the same information. However, in certain circumstances information certified by the Secretary of State as “damaging information” may be withheld from the prisoner (and any representative nominated by the prisoner). If this happens, there is provision for the Attorney General to appoint a Special Advocate to represent the interests of the prisoner.

Rule 22(1) of the Sentence Reviews Commissioners’ Rules applies where the Secretary of State certifies as ‘damaging information’ (hereinafter ‘DI’) any information, document or evidence which, in his opinion, would if disclosed to the person concerned or any other person be likely to:

- a) Adversely affect the health, welfare or safety of the person concerned or any other person;
- b) Result in the commission of an offence;
- c) Facilitate an escape from lawful custody or the doing of any act prejudicial to the safe keeping of persons in such custody;
- d) Impede the prevention or detection of offences or the apprehension or prosecution of suspected offenders;
- e) Be contrary to the interests of national security; or
- f) Otherwise cause substantial harm to the public interest.

The papers submitted by the prisoner (known as the ‘Applicant’) and the Secretary of State (known as the ‘Respondent’) are considered by a panel of three Commissioners who give their initial view in writing in the form of a ‘preliminary indication’. The Rules allow either party to challenge the preliminary indication following which the issues are considered afresh at an oral hearing. If there is no such challenge, or after an oral hearing, the final decision of the Commissioners is given to both parties in the form of a ‘substantive determination’. The Act makes provision for the Secretary of State to apply to the Commissioners to revoke a declaration that a prisoner is eligible for release, on certain grounds, at any time before the prisoner is released. Other than this the Commissioners have no power to reconsider a substantive determination, and the only

mechanism by which either party can challenge the outcome is by way of judicial review.

Prisoners who are unsuccessful in their applications may make a further application at a later stage if it can be demonstrated that the person's circumstances have changed since the most recent substantive determination or reliance is placed on any material information, document or evidence which was not placed before the Commissioners when the previous substantive determination was made.

Prisoners who are successful in their applications are released on licence, the conditions of which are set out in the Act. The Act also makes provision for the suspension of a licence by the Secretary of State if he believes a person has broken or is likely to break a condition of his/her licence.

The Rules set out in detail the procedures to be followed where the Commissioners are required to consider the case of a recalled prisoner. In particular, the Rules make provision for the proceedings in relation to recalled prisoners to be expedited.

Eligibility for Early Release

The eligibility criteria laid down by the Act are that:

- the prisoner is serving a sentence of imprisonment in Northern Ireland;
- the sentence is one of imprisonment for life or for a term of at least five years and comes within the definition of a "qualifying offence";*
- the offence was committed before 10 April 1998;
- if the sentence was passed in Northern Ireland, the offence:
 - was a scheduled offence within the meaning of the Northern Ireland (Emergency Provisions) Act 1973, 1978, 1991 or 1996; and
 - was not the subject of a certificate of the Attorney General that it was not to be treated as a scheduled offence;
- if the sentence was passed in Great Britain, the offence:

- was committed in connection with terrorism and with the affairs of Northern Ireland; and
- is certified as one that would have been scheduled under the Northern Ireland (Emergency Provisions) Acts, had it been committed in Northern Ireland;
- the prisoner is not a supporter of a specified organisation;
- if the prisoner were released immediately, he would not:
 - be likely to become a supporter of a specified organisation; or
 - be likely to become involved in acts of terrorism connected with the affairs of Northern Ireland; and
- if a life sentence prisoner, be a danger to the public.

**From 1 May 2024 the definition of a “qualifying offence” under section 3 of the Act was changed to include offences committed on or after 1 January 1996 and before 8 August 1973 with certain further qualifying conditions. These amendments were brought into effect by the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023.*

Scheduled offences are defined in successive Northern Ireland (Emergency Provisions) Acts. They include murder and manslaughter, kidnapping, serious assaults and armed robbery, and a wide range of firearms and explosives offences.

It should be noted that the Act does not require offences in Northern Ireland to have been committed by or on behalf of a terrorist organisation but simply requires them to have been tried as scheduled offences.

The Specified Organisations

Section 3(8) of the Act requires the Secretary of State to ‘specify’ by subordinate legislation any organisation believed to be concerned in terrorism connected with the affairs of Northern Ireland which has not established or is not maintaining a complete and unequivocal ceasefire. Specification of an organisation means that its supporters are not eligible to benefit from the early release arrangements.

The specified organisations as listed in the Northern Ireland (Sentences) Act 1998 (Specified Organisations) (No. 2) Order 2008 are:

- The Continuity Irish Republican Army;
- The Loyalist Volunteer Force;
- Óglaigh na hEireann;
- The Orange Volunteers (The organisation using the name “The Orange Volunteers” and in the name of which a statement described as a press release was published on 14 October 1998);
- The “Real” Irish Republican Army; and
- The Red Hand Defenders.

The Accelerated Release Date

The Act makes provision for the accelerated release of prisoners who are granted a declaration in relation to a sentence. Specifically, the Act provides that any prisoner who would have a right to be released on a date which falls after the second anniversary of the Act’s commencement will be released by the Secretary of State on that day, or once the prisoner has served two years of the sentence to which the declaration relates, whichever is the latter.

The Act also provides that a prisoner cannot be released at any time before an application for revocation of the Commissioners’ declaration has been finally determined.

The Secretary of State is empowered to vary the accelerated release provision by subordinate legislation.

Licence Arrangements

Each prisoner released early under the legislation is subject to the following licence conditions:

- that he or she does not support a specified organisation;
- that he or she does not become concerned in the commission, preparation or instigation of acts of terrorism connected with the affairs of Northern Ireland; and
- in the case of a life prisoner, that he or she does not become a danger to the public.

For a fixed term prisoner the licence remains in force until the date when he or she would otherwise have been entitled to be released from prison under the legislation in place at that time. For a life prisoner, the licence remains in force for the rest of his or her life.

The Secretary of State may suspend a licence if he believes the person concerned has broken or is likely to break a licence condition. Where a person's licence is suspended by the Secretary of State, the Commissioners will consider his or her case. If they think that he or she has not broken, and is not likely to break, a condition of the licence, they are required to confirm the licence, in which case the prisoner will be released again. Otherwise, they are required to revoke the licence, in which case the prisoner will lose entitlement to early release and will remain in prison until eligible for release under normal arrangements or subject to a successful further application from the prisoner.

The Commissioners

The Sentence Review Commissioners are an independent body made up of a Chairperson and four Commissioners* appointed by the Secretary of State. The following Commissioners served during the reporting period.

** All Commissioners are paid on a part-time per diem basis and the Chairperson receives additional remuneration in respect of her duties as Chairperson.*

<p>Ms Clodagh McGrory BL Chairperson</p>	<p>Ms McGrory was educated at Trinity College Dublin and Queens University Belfast, where she completed an LLM in Human Rights and Emergency Law. She was called to the Bar of Northern Ireland in 1990 where she practiced primarily in the field of criminal law. She was subsequently employed by Law Centre (NI) from 1996. She was appointed to the Northern Ireland Standing Advisory Commission on Human Rights in 1998. Ms McGrory was appointed as a Sentence Review Commissioner in 1998 and as a Life Sentence Review Commissioner in 2001. She was subsequently appointed as a Parole Commissioner, serving until 2019. In 2002 she was appointed as a fee-paid legal member of Appeal Tribunals. Ms McGrory served as a member of the Irish Human Rights Commission from December 2000 until August 2006. From June 2011 she was a member of the "Owers" Prison Review Team, which was established to conduct a comprehensive review of the Northern Ireland Prison Service, reporting to the Minister for Justice in October 2012. Ms McGrory was appointed Chairperson of the Sentence Review Commissioners in January 2013.</p>
<p>Dr Adrian Grounds</p>	<p>Dr Grounds was a University senior lecturer in forensic psychiatry at the Institute of Criminology, University of Cambridge, and an honorary consultant forensic psychiatrist in the Cambridgeshire and Peterborough NHS Foundation Trust, until retiring in 2010. He was also a Parole Commissioner for Northern Ireland until he retired from this role in 2023. He is currently an honorary research fellow at the Institute of Criminology and a Medical Member of the First-tier Tribunal (Mental Health) in England.</p>
<p>Prof John Jackson</p>	<p>Prof Jackson is an Emeritus Professor of Law at the University of Nottingham and a qualified barrister. He was previously Dean of the School of Law at University College Dublin and has taught at several other universities including Queen's University Belfast, the University of Sheffield, the City University, London and University College Cardiff. He has held visiting professorships at Hastings College of the Law, University of California and the Faculty of Law, University of New South Wales and was a Fernand Braudel Senior Fellow at the European University Institute in 2007 – 2008. From 1998 to 2000 he was an Independent Assessor for the Northern Ireland Criminal Justice Review and he has been a Life Sentence Review Commissioner/Parole Commissioner since 2002.</p>
<p>Mr Timothy Thorne</p>	<p>Mr Timothy Thorne qualified as a barrister in 1987. He practiced mainly in the fields of criminal defence and prosecution. He was a Deputy Assistant Judge Advocate General sitting in Courts Martial and is a fee-paid judge in the First Tier Tribunal, sitting in the Immigration & Asylum Chamber and the Care Standards Tribunal. He is also a Parole Commissioner for Northern Ireland. He was also a Deputy Chairperson of the National Health Service Tribunal and a consultant trainer to the Inns of Court School of Law in London. He is also a non-Executive Director of a legal training company.</p>
<p>Dr Micaela Greenwood</p>	<p>Dr Micaela Greenwood is an independent business psychologist and management consultant. Her previous positions include Principal Occupational Psychologist at the Police Service of Northern Ireland and Associate Director of the MSc in Occupational Psychology at Queen's University of Belfast. Micaela is also a Parole Commissioner for Northern Ireland.</p>

Chapter 2

Approach

The Commissioners are under a duty to implement one of the most sensitive parts of the Agreement, and their first priority continues to be the operation of fair, independent and efficient procedures giving effect to the Act and Rules.

Working arrangements

During this reporting period, the Commissioners and Secretariat continued to review their working arrangements adopting the best practice to ensure the most effective discharge of their statutory functions with reference to efficiency, fairness and costs. The legislative framework requires the Commissioners to conduct oral hearings at the prison where the person concerned is detained and such arrangements will therefore continue to be made. In all other matters of their work the Commissioners are committed to using technology as much as possible, for example, to facilitate meetings, Commissioner training and plenary events.

Development of Guidance, Policies and Procedures

Throughout this reporting period, the Commissioners, with support from the Secretariat, continued updating their guidance, policies, and procedures. This included a review and updating of the SRC Legal Aid Guidance and Fee Structure with reference to the GSL rates paid to Crown counsel. The Annual Plenary meeting provided an opportunity to review and endorse draft guidance and to deliver ongoing training to Commissioners as policies and procedures continue to be developed.

Website

The Secretariat keeps the SRC Website up to date to ensure that it continues to serve as a comprehensive information resource providing information on eligibility criteria and the SRC application process. It is a valuable reference point for potential applicants, their legal representatives and other interested parties.

Sustainable Development

The Sentence Review Commissioners are committed to operating in accordance with the principles of sustainable development. Administrative work is paperless, where possible, and the recycling and reuse of materials by Secretariat and Commissioners is encouraged. The ongoing commitment to hybrid working for both Secretariat staff and Commissioners is a significant departure from previous working practices and contributes to environmental sustainability.

Chapter 3

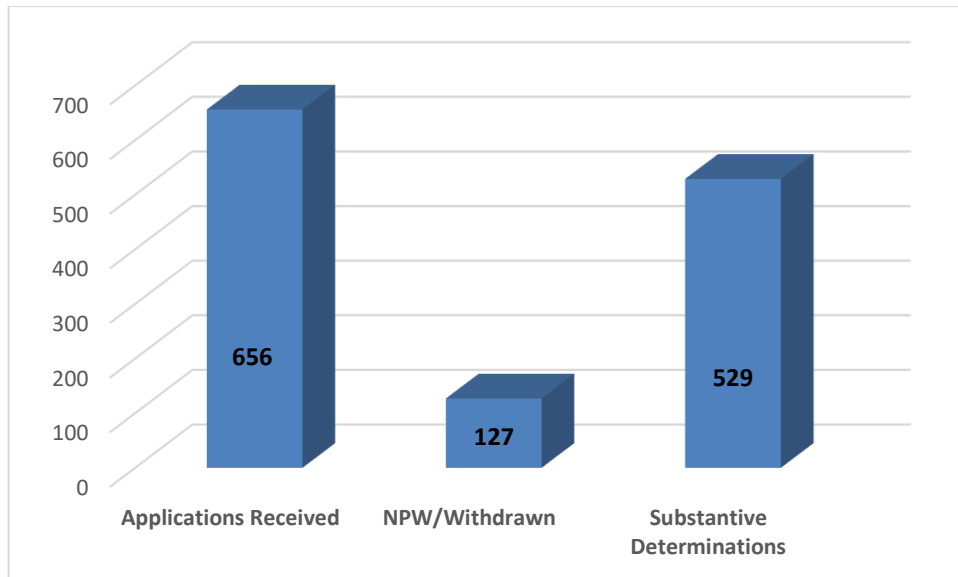
Casework

The workload of the Commissioners is mainly dependent on the number of prisoners who apply to them in accordance with the provisions of the Act and those cases which arise in the context of any suspension of licence by the Secretary of State. The cases which come before the Sentence Review Commissioners relate to offences committed prior to the commencement of the 1998 Act. More recent applications, some 28 years on from the commencement of the statutory scheme, typically raise new and complex issues which often result in final adjudication by the courts. During this reporting period the Commissioners were involved in ongoing litigation in relation to a number of issues including the interpretation of section 3(2) of the Act.

Statistical Analysis

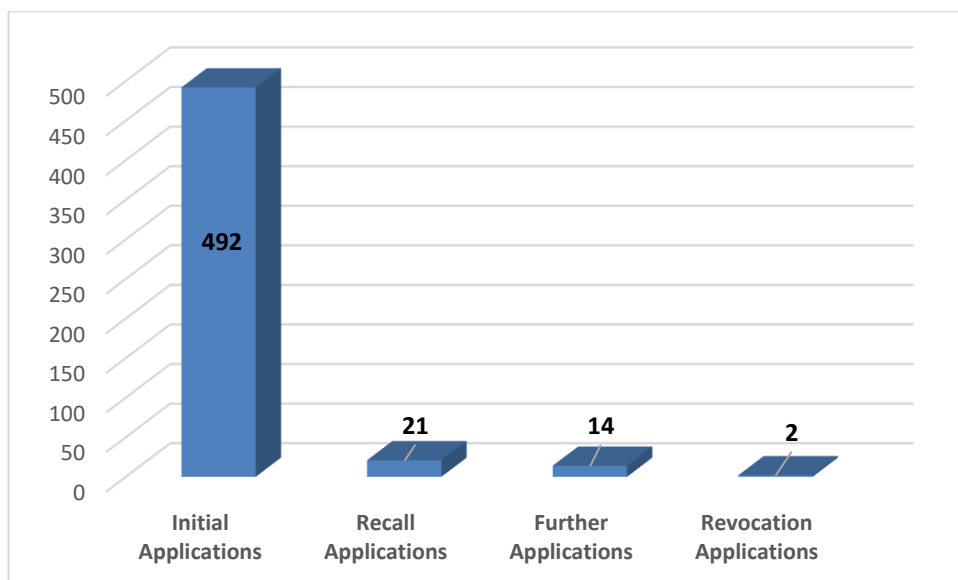
The following tables show the analysis of casework from 1998 – 2026:

Casework completed from 1998 – 2026

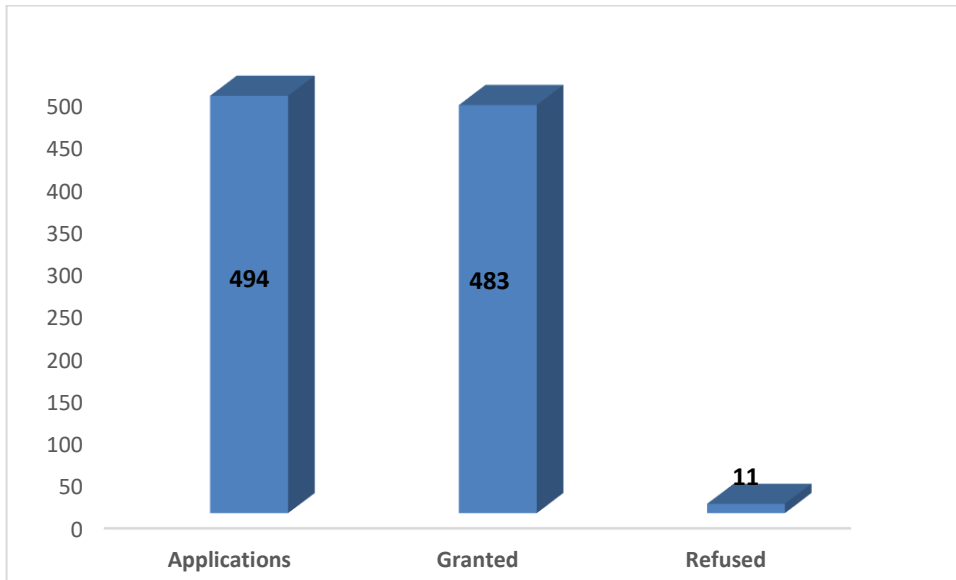


These figures include all applications (initial, recall and further) and include repeat applications from the same prisoner. At 31 March 2026 there are no cases outstanding.

Applications progressed to Substantive Determination from 1998 – 2026

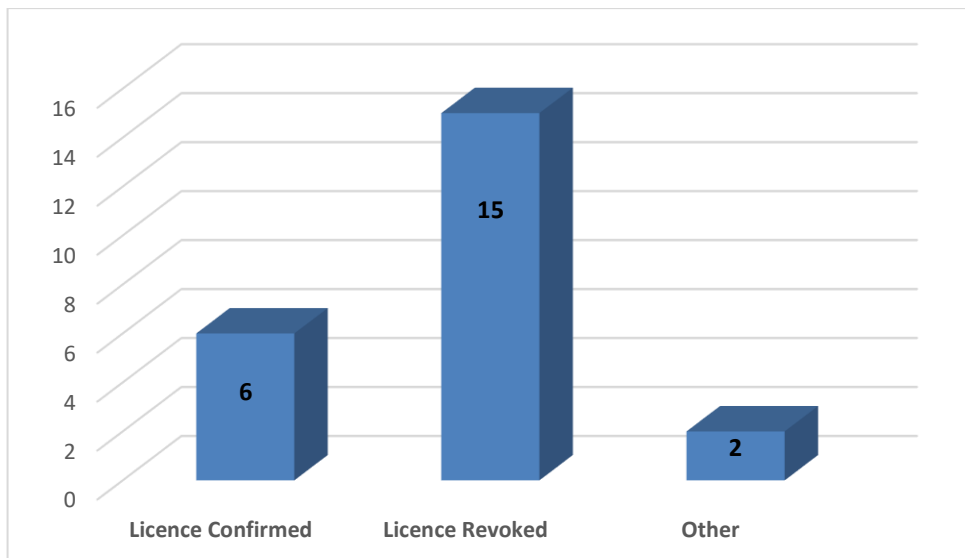


Initial Applications from 1998 – 2026



494 applications include 492 initial applications and 2 revocation applications.

Recall applications from 1998 – 2026



Recall Applications considered each year from 2000 – 2026

Year Application Received by SRC	Number of Applications Received
2000	1
2001	0
2002	1
2003	2
2004	2
2005	2
2006	2
2007	7
2008	2
2009	0
2010	1
2011	0
2012	0
2013	0
2014	0
2015	2
2016	1

There were no prisoners recalled prior to 2000 and there have been no such applications since 2016.

Further Applications from 1998 – 2026



Chapter 4

Staff and Resources

Throughout this reporting period the Commissioners have been administratively supported by a Secretariat consisting of a Deputy Secretary to the Commissioners, a senior case manager and one case manager. The Secretariat are based on the 2nd Floor, Royal Courts of Justice, Chichester Street, Belfast. A hybrid approach to Secretariat working has been introduced where staff work both remotely and in the office. This has numerous advantages and flexibility for both employers and employees.

The introduction of virtual meetings has resulted in a marked reduction in Commissioner travel, accommodation and expenses costs and general administration costs have also been reduced.

As per Section 20 of the Northern Ireland (Sentences) Act 1998, expenditure incurred by the Secretary of State by virtue of this Act shall be paid out of money provided by Parliament. Thus, expenditure incurred by the Secretary of State in providing for the work of the Commissioners in the year ended 31 March 2026 was:

Estimated Spending for 2025/26:

Financial Year	2022/23 £000	2023/24 £000	2024/25 £000	2025/26 £000
Commissioners' Remuneration	23	22	26	16
Commissioners' Travel, Accommodation and Expenses	0	0	0	1
Legal Representation for Applicants	5	4	2	1
Legal Representation for SRC	18	15	60	25
General Administration	8	9	1	8
Running Costs:				
Accommodation	15	16	15	15
Staff Salaries	45	47	49	53
Total Budget Spend:	114	113	153	119

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